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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC  
SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY  
DOCKET NO.

In the Matter of	)	
CHWEN-MEI CHEN, D.M.D.	)	Administrative Action
Licensed to Practice Dentistry	)	
in the State of New Jersey	)	CONSENT ORDER

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This matter was opened to the New Jersey State Board of Dentistry upon the receipt of a Report of Investigation from the Enforcement Bureau, Division of Consumer Affairs, which disclosed unsanitary conditions in the dental office of Chwen-Mei Chen, D.M.D. The Report of Investigation also disclosed that although Dr. Chen is licensed by the name Chwen-Mei Chen, D.M.D., she utilizes the name of Catherine M. Chen, D.M.D. for certain advertisements.

In order to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 7<sup>th</sup> DAY OF AUGUST, 1991,

HEREBY ORDERED AND AGREED THAT:

1. Dr. Chen shall cease and desist the practice of dentistry under a false or assumed name in violation of N.J.S.A.


45:6-23(e) unless and until she shall change her legal name by court order or register her name with the Board as Catherine Chen and employ such name exclusively in connection with her license to practice dentistry in this State and for any and all professional purposes. Otherwise, she shall take such corrective action as may be required in order to change any advertising, signs, letterhead, business cards, or other written material which contain the assumed name.

2. Dr. Chen is hereby assessed a civil penalty in the amount of \$250.00 for her failure to maintain her dental office according to acceptable sanitary standards in this State. Payment shall be made by certified check or money order made payable to the State of New Jersey and shall be submitted to Agnes Clarke, Executive Director of the Board of Dentistry, at P.O. Box 45005, Newark, New Jersey 07101, no later than the first day of the month following the entry date of this Order.

3. Dr. Chen shall take immediate corrective action to cause her dental office to be cleaned and maintained in a sanitary condition and she shall comply with all infection control procedures for the dental office. (A copy of the Board's guidelines for infection control procedures are attached hereto and made a part of this Consent Order.)

4. Dr. Chen shall afford access to her dental office and shall submit to periodic random and unannounced inspections by the Enforcement Bureau for the purpose of assuring the Board that she continues to maintain her office in sanitary conditions and follows acceptable infection control procedures. Said

inspections shall be conducted in a manner so as not to disrupt Dr. Chen's dental practice. Dr. Chen shall be responsible for the costs of such inspections. An Affidavit of Costs from the Enforcement Bureau shall be submitted to Dr. Chen, and Dr. Chen shall submit payment in the amount of such costs no later than fifteen (15) days subsequent to her receipt of the Affidavit of Costs.

  
ARNOLD GRAHAM ~~WILLIAM R. CINOTTI~~, D.D.S.  
VICE - PRESIDENT  
STATE BOARD OF DENTISTRY

I have read and understand the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
CHWEN-MEI CHEN, D.M.D.

POLICY STATEMENT  
N.J. STATE BOARD OF DENTISTRY  
INFECTION CONTROL AND DISEASE BARRIER

I. INTRODUCTION

There has been considerable public concern about the risk of contracting AIDS and, more recently, about the possibility that patients might be infected by dentists, hygienists and other dental auxiliary personnel who are themselves suffering from AIDS or are HIV positive. There has been no definitive instance of transmission of the AIDS virus from dental health care provider to patient in the course of treatment. However, the risk of cross-infection in the dental operatory always has existed. Accordingly, dentists, hygienists and other dental auxiliary personnel have a duty to understand the risk and the precautions which must be taken to avoid it.

It is incumbent on dentists and other dental auxiliary personnel always to act in the best interests of their patients. The public interest requires that dentists who believe that they have been infected with HIV obtain medical advice and, if found to be infected, submit to regular medical supervision. Such medical supervision must include counseling with respect to any changes in their practice which might be considered appropriate in the best interest of protecting their patients. It is the responsibility of such dentists and other dental auxiliary personnel to act upon the medical advice they are given, which may include the necessity, at some point in time, to cease the practice of dentistry altogether or to modify their practice in some way. A failure to obtain such advice or comply with the recommendations may raise serious questions of professional misconduct.

II. INFECTION CONTROL PROCEDURES

It is the position of the Board of Dentistry that the following guidelines concerning disease barrier and infection control represent the current appropriate standard of care for dentists in the State of New Jersey.

1. Immunization

It is strongly recommended that all licensees and other dental auxiliary personnel engaged in direct patient care be vaccinated for Hepatitis B.

2. Gloves

- a) All licensees and other dental auxiliary personnel must wear new, clean protective gloves for each and every patient contact. A fitted latex glove is preferable.
- b) A lightweight, unfitted vinyl glove is acceptable when no visible blood or excessive saliva is expected.
- c) Gloves must be worn by all dental personnel when handling contaminated instruments, equipment, intra-oral appliances such as dentures or impression trays, or disinfectant solutions.
- d) Any glove which is torn, punctured or cut should be removed immediately, the hands thoroughly washed with surgical soap, and regloving accomplished before completing the dental procedure.

3. Masks

All licensees and other dental auxiliary personnel must wear properly fitting surgical masks or chin-length plastic shields during any patient contact involving the following:

- a) Whenever a spattering of blood and/or saliva is likely to occur.
- b) Whenever an aerosol or air spray is likely to occur.

The same mask may continue to be worn until wet, soiled or perforated.

4 Eyewear

All licensees and other dental auxiliary personnel must wear protective, properly-fitting eyewear or chin-length plastic shields during clinical or laboratory procedures which may include any of the following:

- a) Whenever a spattering of blood and/or saliva is likely to occur.
- b) Whenever an air spray or aerosol may be created.
- c) Whenever there is risk of missile injury.
- d) During instrument and surface decontamination.

5. Outer Clothing

All licensees and other dental auxiliary personnel should wear protective clothing such as gowns, smocks, scrub jackets, lab coats, etc. during clinical or laboratory procedures. These should be changed daily or sooner when visibly soiled with blood or exposed to spatter. It is very important to check sleeve edges for contamination.

6. Impressions

Impressions must be <sup>disinfected</sup> cold sterilized prior to pouring or sending to an outside laboratory for processing.

III. CONTINUING EDUCATION

The Board of Dentistry strongly recommends that dentists, hygienists and dental health care workers obtain continuing education and training in relevant aspects of safe working practices. It is the Board's expectation that in the near future the N.J. Legislature will mandate continuing education for all dentists. In that event the Board intends to require that a certain percentage of such continuing education be devoted to a greater understanding of infectious diseases and barrier control.

IV. CONCLUSION

Information concerning infectious diseases and the transmission of the HIV virus and hepatitis is being developed continually. Research in this area is dynamic. This Board's policy and guidelines cannot remain rigid in the face of newly published relevant data. Accordingly, the Board will amend this Policy Statement as circumstances may require.